

08/11/97

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Cox et al.

Examiner in immediately preceding parent case: Blyveis, D.

Serial No.: unknown

Anticipated Group Art Unit: 3306

Filed: August 11, 1997

For: **PERFUSION BALLOON ANGIOPLASTY CATHETER**

Docket No.: 33019/138/103

TRANSMITTAL SHEET

The Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

CERTIFICATE UNDER 37 C.F.R. 1.10: The undersigned hereby certifies that this paper or papers, as described herein, are being deposited in the United States Postal Service, "Express Mail Post Office to Addressee" having an Express Mail mailing label number of EM020714641US, in an envelope address to: Assistant Commissioner for Patents, Washington, D.C., 20231 on this 11th day of August, 1997.

By Lisa A. Dahline

We are transmitting herewith the attached Patent Application including the following:

- [] _____ sheet(s) of specification.
- [] _____ claim(s).
- [] _____ sheet(s) of Abstract.
- [] _____ sheet(s) of formal/informal drawings.
- [] Executed/unexecuted Declaration and Power of Attorney.
- [] A verified statement(s) to establish small entity status under 37 C.F.R. 1.9 and/or 1.27 is enclosed.
- [] An Assignment of the invention to _____ is being filed contemporaneous with this patent application.
- [] A certified copy of a _____ application, serial no. _____, filed _____, 19_____, the right of priority of which is claimed under 35 U.S.C. 119.

| CLAIMS AS FILED | | | | | | |
|--|---------|---------|--------------|-------|----------|-------|
| | (1) | (2) | SMALL ENTITY | | OTHER | |
| FOR: | # FILED | # EXTRA | Rate | Fee | Rate | Fee |
| BASIC FEE | | | | \$385 | | \$770 |
| TOTAL CLAIMS | 12-20 = | | x11= | \$ | x22= | \$ |
| INDEPENDENT CLAIMS | 4 -3 = | 1 | x40= | \$ | x80= | \$80 |
| () MULTIPLE DEPENDENT CLAIM PRESENTED | | | +130= | \$ | +260= | \$ |
| TOTAL | | | \$ | | \$850.00 | |

*If the difference in Column (1) is less than zero, enter "0" in Column 2.

[XXXX] Other File Wrapper Continuing Application (FWC) under 37 CFR §1.62

[XXXX] A check in the amount of \$ 850.00 is enclosed.

[XXXX] Please charge any deficiencies or credit any overpayment in the enclosed fees to Deposit Account No. 14-0620.

By:



Glenn M. Seager

Reg. No. 36,926

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FILE WRAPPER CONTINUING APPLICATION (FWC) 37 CFR 1.62)

Box FWC
Honorable Commissioner of Patents
and Trademarks
Washington, D.C. 20231

Dear Sir:

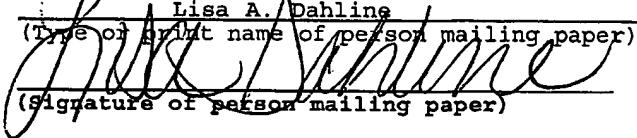
I. This is a request for a filing under the file wrapper continuing application procedure, 37 CFR 1.62, for a continuation of prior complete application Serial No. 08/612,061, filed on March 7, 1996.

1. Title, as originally filed, PERFUSION BALLOON
ANGIOPLASTY CATHETER, and as last amended, _____

CERTIFICATE OF MAILING (37 CFR 1.10)

I hereby certify that this FWC transmittal and the documents referred to as being attached therein are being deposited with the United States Postal Service on this date August 11, 1997 in an envelope as "Express Mail, Post Office to Addressee" mailing Label Number EM020714641US addressed to the: Commissioner of Patents and Trademarks, Box FWC, Washington, D.C. 20231.

Date: August 11, 1997

Lisa A. Dahline
(Type or print name of person mailing paper)

(Signature of person mailing paper)

2. Name of applicants (as originally filed and as last amended) and current correspondence address of applicant:

Full name of sole or first inventor James E. Cox

Residence Plymouth, Minnesota

Citizenship U.S.A.

Post Office Address 15820 Ninth Avenue North

Plymouth, Minnesota 55447

Full name of second or joint inventor Richard G. Cornelius

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Full name of fourth or joint inventor Gregory A. Boldenow

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Post Office Address 6809 Valley Place North

Crystal, Minnesota 55427

Full name of fifth or joint inventor Brooke Q. Ren
Residence Champlin, Minnesota
Citizenship China
Post Office Address 13281 Yorktown Lane
Champlin, Minnesota 55316

The above application is hereby expressly abandoned as of the filing date of this new application. Please use all the contents of the prior application file wrapper, including the drawings, as the basic papers for the new application.

It is understood that secrecy under 35 U.S.C. 122 is hereby waived to the extent that, if information or access is available to any one of the applications in the file wrapper of a 37 CFR 1.62 application, be it either this application or a prior application in the same file wrapper, the PTO may provide similar information or access to all the other applications in the same file wrapper.

II. Inventorship Statement

This application discloses and claims only subject matter disclosed in the prior application whose particulars are set out above, and the inventors in this application are the same.

III. Declaration or Oath

Continuation - none required, as such was filed in the parent case identified above.

IV. Identification of Claims for Further Prosecution

The fees to be charged are to be based on the number of claims remaining as a result of the:

the unentered amendment filed under 37 CFR §1.116 in the prior application, which is now repeated.

V. Fee Calculation

| CLAIMS FOR FEE CALCULATION | | | |
|--|--------------|----------|------------|
| Number Filed | Number Extra | Rate | Basic Fee |
| Total Claims 12-20= | 0 X | \$ 22.00 | \$770.00 0 |
| Independent Claims 4-3= | 1 X | \$ 80.00 | \$80.00 |
| Multiple dependent claims, if any | | \$260.00 | 0 |
| — The fee for extra claims is not being paid at this time. | | | |
| Filing fee calculation | | | \$850.00 |

VI. Method of Payment of Fees

Attached is a check in the amount of \$ 850.00.

VII. Authorization to Charge Additional Fees

The Commissioner is hereby authorized to charge the following additional fees which may be required by this paper and during the pendency of this application to Account No. 14-0620.

VIII. Relate Back - 35 U.S.C. 120

Amend the specification at page 1, line 2, by inserting the following:

--This application is a continuation of application Serial No. 08/612,061, filed March 7, 1996, which is a continuation-in-part of application Serial No. 08/441,618, filed May 15, 1995, which in turn is a continuation-in-part of application Serial No. 08/204,733, filed March 2, 1994, now abandoned.--

IX. Power of Attorney

The power of attorney in the prior application is to:

Wayne A. Sivertson, Reg. No. 25,645
Lawrence M. Nawrocki, Reg. No. 29,333
John L. Rooney, Reg. No. 28,898
Donald A. Jacobson, Reg. No. 22,308
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Address all future communications to:

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Minneapolis, MN 55413
Tel: (612) 331-1464

X. Abandonment of Prior Application

Please abandon the prior application at a time while the prior application is pending and when this application is granted a filing date so as to make this application copending with said prior application. At the same time, please add the words "now

abandoned" to the amendment to the specification set forth in VIII above.

XI. Assignment

The prior application is assigned to SciMed Life Systems, Inc. as recorded in the Patent and Trademark Office on Reel 8049, Frame 0608.

Date

August 11, 1997 Glenn M. Seager

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SEARCHED - INDEXED - SERIALIZED - FILED
12/10/97